

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 11 1992

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEP 9 1982 under 45153

The applicant KENNETH H. HARVEY

P. O. Box 213 of Silver Springs

Nevada 89429 Street and No. or P.O. Box No. City or Town

State and Zip Code No. hereby make ^s application for permission to change the
Point of Diversion, Manner of Use, Period & Place of Use of a Portion

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit 27567, Certificate 8870

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.5 cfs, 74.6 AFY
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.18N., R.24E.,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
M.D.B.&M., or at a point from which the NE corner of said Section 35 bears N.
88° 06' 08" E., a distance of 1333.14 feet.

6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.18N., R.24E.,
If point of diversion is not changed, do not answer.
M.D.B.&M., or at a point from which the NE corner of said Section 35 bears N
82° 31' 06" E., a distance of 1358.3 feet.

7. Proposed place of use NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.18N., R.24E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.18N., R.24E., M.D.B.&M. 18.65 Acres
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from April 1st to November 30th of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump & distribution system.

State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The total combined duty of this application 57176 and application 57177 will not exceed 149.2 AFA, or 168 dwelling units at approximately 750 GPD/unit. Please refer to map filed in support of Permit 45153 for proposed and existing Point of Diversion and Place of Use.

By s/Robert H. Cantley
Thiel, Winchell & Assoc., Inc.
34 Lakes Blvd., Suite 101
Dayton, Nevada 89403

Compared bc/bc cl/bk

Protested _____

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 27567, Certificate 8870 is issued subject to the terms and conditions imposed in said Permit 27567, Certificate 8870 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well drilled under Permit 27567, Certificate 8870, must be plugged in accordance with NAC 534.420 (Regulations for Water Well and Related Drilling) within 90 days from the issuance of this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 74.6 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 13, 1997

Proof of completion of work shall be filed before April 13, 1997

Application of water to beneficial use shall be made on or before March 13, 2001

Proof of the application of water to beneficial use shall be filed on or before April 13, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed _____

office, this 13th day of March

Cultural map filed _____

A.D. 19 96

Certificate No. _____ Issued _____

[Signature]
State Engineer

Abrogated By 62912-0-5